

SEWER EASEMENT

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00), in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we, Steve R. Hatmaker and Jan Hatmaker, hereinafter referred to as "Grantor", do hereby grant, bargain, sell and convey unto the City of Olive Branch, its successors and assigns, hereinafter referred to as "Grantee", the right, privilege and easement at any time and from time to time to construct, maintain, inspect, operate, protect, repair, replace, change the size of, or remove a pipeline, pipelines and other appurtenances for operation of the City Sewage System, within the confines of an area described in Exhibit I, which is attached hereto and made a part hereof as if fully copied herein, together with reasonable access thereto.

TO HAVE AND TO HOLD said easement and reasonable access thereto unto said Grantee, its successors and assigns temporarily, where noted, and permanently, where noted in Exhibit I.

It is agreed that the pipeline or pipelines to be laid under this grant shall be constructed at sufficient depth below the surface of the ground to permit normal cultivation, and Grantor shall have the right to fully use and enjoy the above described premises, subject to the rights herein granted.

As additional consideration it is agreed that Grantor shall be entitled to receive a waiver of one sewer tap on the property over which this Easement is granted.

Grantee shall have the right to clear and keep clear all trees, undergrowth and other obstructions from the herein granted easement, and Grantor agrees not to build, construct or create, nor permit others to build, construct or create any buildings or other structures on the herein granted easement that will interfere with the normal operation and maintenance of the said line or lines.

Grantor hereby expressly agrees that in the event the route of the pipeline to be constructed hereunder should cross any roads, railroads, creeks, rivers or other waterways located on the above described land or other places requiring extra working space, Grantee shall have the right and temporary access to additional working space which may be necessary for construction.

Grantor represents that the above described land is not rented at the present time.

The terms and conditions hereof shall be binding upon and inure to the benefit of the heirs, executors, administrators, devisees, successors, trustees or assigns of the parties hereto, and the rights herein granted may be assigned in whole or in part.

IN WITNESS WHEREOF the said Grantors have hereunto set their hand and seal, this 5th day of February, 2001.

Steve R. Hatmaker
STEVE R. HATMAKER

Jan Hatmaker
JAN HATMAKER

Witnessed By:

A. S. Davis

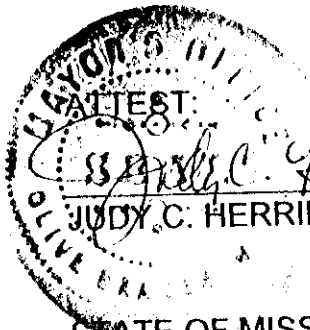
STATE MS. - DESOTO CO.
FILED

OCT 11 11 11 AM '01

BK 400 PG 754
W. L. K. J.

APPROVED AND ACCEPTED by the
City of Olive Branch

By: Samuel P. Rikard
SAMUEL P. RIKARD, MAYOR



STATE OF MISSISSIPPI

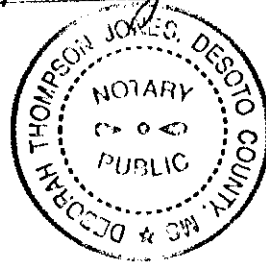
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state, on this 7th day of February, 2001, within my jurisdiction, A. G. Davis, one of the subscribing witnesses to the above and foregoing instrument, who, being first duly sworn, states that he saw the within named Steve R. Hatmaker and Jan Hatmaker, whose names are subscribed thereto, sign and deliver the same to the City of Olive Branch; and that the affiant subscribed his name as witness thereto in the presence of same.

A. G. Davis

Witness

Deborah Thompson Jones
NOTARY PUBLIC



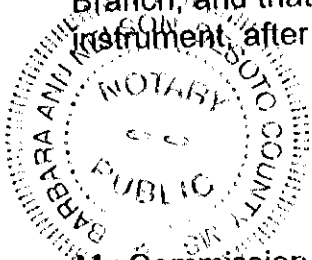
My Commission Expires:

MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES MARCH 21, 2003
BONDED THRU STEGALL NOTARY SERVICE

STATE OF MISSISSIPPI

COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state on this 6th day of July, 2001, within my jurisdiction, the within named Samuel P. Rikard and Judy C. Herrington, who acknowledged that they are the Mayor and City Clerk, respectively, of the City of Olive Branch, and that in said representative capacity they executed the above and foregoing instrument, after first having been duly authorized so to do.



Barbara Ann Nelson
NOTARY PUBLIC

My Commission Expires:

May 21, 2002

PREPARED BY AND RETURN TO: Gary P. Snyder, Watkins Ludlam Winter & Stennis, P.A.,
P.O. Box 1456, Olive Branch, MS 38654, 662-895-2996.

**STEVE R. HATMAKER
& JAN HATMAKER
DEED BOOK 234, PAGE 264**

EXHIBIT 1

Being a portion of the Steve R. Hatmaker and Jan Hatmaker property as recorded in Book 234, Page 264 in the Desoto County Chancery Office and lying in the Northwest Quarter of Section 35, Township 1 South, Range 7 West in the City of Olive Branch, Desoto County, Mississippi, and being more particularly described as follows:

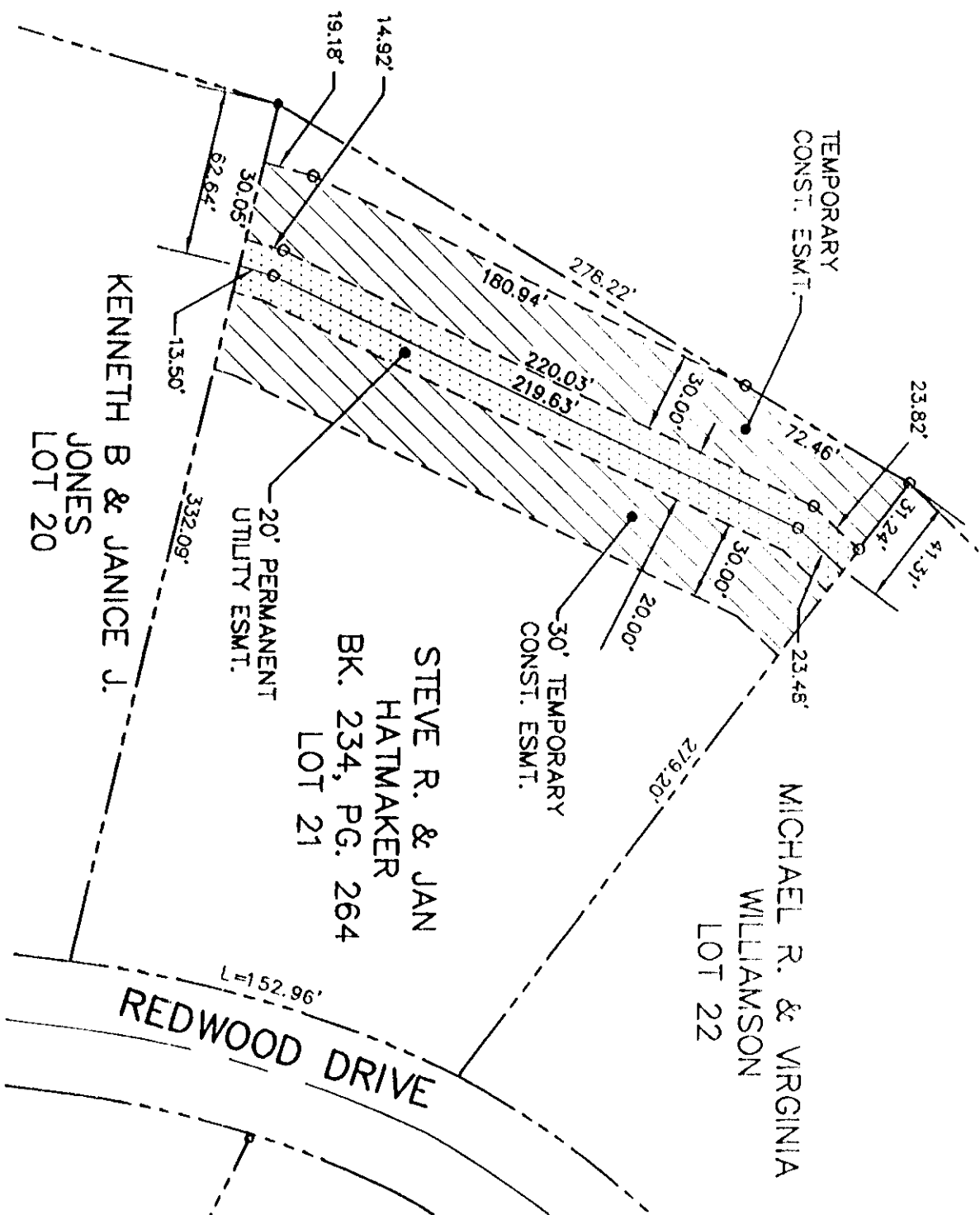
PERMANENT UTILITY EASEMENT

Being a 20 foot wide strip of land and having a centerline described as follows: Beginning at a point on the south property line of the above described property, said point being approximately 62.64 feet, more or less, east of the southwest corner of the above described property as measured along the south property line; thence in a northeasterly direction a distance of approximately 219.63 feet to a point; thence in a northeasterly direction a distance of approximately 23.48 feet to a point on the north property line approximately 41.31 feet east of the northwest property corner as measured along the north property and containing 5,132 square feet more or less. This description conveys a strip of land centered along the utility as constructed whether correctly described or not.

TEMPORARY CONSTRUCTION EASEMENTS

Being a 30 foot wide strip of land to a point, lying parallel and adjacent to the above described permanent utility easement, and the remaining portion of land lying between the west side of the above described permanent easement and the west property line of the subject property as well as a 30 foot wide strip of land lying parallel and adjacent to the east side of the above described permanent utility easement and containing 15,249 square feet more or less.

Exhibit prepared from Bk. 234, Pg. 264



THIS EXHIBIT HAS BEEN PREPARED FROM BOOK 234, PAGE 264 IN THE DESOTO COUNTY CHANCERY OFFICE.

THIS PROPERTY IS LOCATED IN SECTION 35 TOWNSHIP 1 SOUTH, RANGE 7 WEST DESOTO COUNTY, MISSISSIPPI

NO.	DESCRIPTION	DATE	BY

EXHIBIT NO. 1

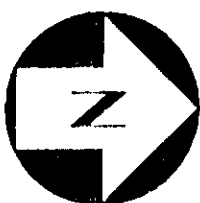
SHEET 1 OF 1

THE CITY OF OLIVE BRANCH, MISSISSIPPI
DESOTO COUNTY

DEERFIELD SEWER IMPROVEMENTS

PERMANENT UTILITY EASEMENT

PREPARED BY: F&A BK. 234, PG. 264 TRACT: HATMAKER
DRAFTSMAN: B.S. DATE: SEPT., 2000 SCALE: 1" = 60'



PROPERTY OF:
STEVE & JAN HATMAKER
BOOK 234, PAGE 264
PERMANENT UTILITY EASEMENT REQUIRED

UNENCUMBERED:	ENCUMBERED:
PERM: 5,132 S.F.	PERM: 0.0 S.F.
TEMP: 15,249 S.F.	TEMP: 0.0 S.F.

[Hatched box] = PERMANENT UTILITY ESMT.
[Dashed box] = TEMPORARY CONSTRUCTION ESMT.